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Proposed Counsel to the Debtors and Debtors-in-Possession

**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEVADA**

In re:

GLOBAL AXCESS CORP., a Nevada corporation,

☐ Affects this Debtor.

☒ Affects all Debtors.

☐ Affects NATIONWIDE MONEY SERVICES, INC., a Nevada corporation.

☐ Affects NATIONWIDE NTERTAINMENT SERVICES, INC., a Nevada corporation.

☐ Affects EFT INTEGRATION, INC., a Florida corporation.

Case No.: 13-51562
 Chapter 11

Pending joint administration with:

13-51563	Nationwide Money Services, Inc.
13-51564	Nationwide Ntertainment Services, Inc.
13-51565	EFT Integration, Inc.

Date: OST PENDING
 Time: OST PENDING

**EX PARTE APPLICATION FOR ORDER SHORTENING TIME
 TO HEAR FIRST DAY MOTIONS**

Global Axcess Corp., a Nevada corporation ("Global"), Nationwide Money Services Inc., a Nevada corporation ("Nationwide"), Nationwide Ntertainment Services, Inc., a Nevada corporation ("Ntertainment"), and EFT Integration, Inc., a Florida corporation ("EFT," together with Global, Nationwide, and Ntertainment, the "Debtors"), hereby submit this ex parte application. This ex parte application for order shortening time to hear the following motions

(collectively, the “First Day Motions”):

1. Emergency Motion for Order Directing Joint Administration of Debtors’ Chapter 11 Cases Under Fed. R. Bankr. P. 1015(b) (“Joint Administration Motion”);
2. Emergency Motion for Entry of an Order Limiting Notice to Certain Parties (“Limit Notice Motion”);
3. Emergency Motion for Order (I) Authorizing, but Not Requiring, Debtors to Pay Wages, Salaries, Benefits, Reimbursable Expenses, and other Employee Obligations, and (II) Authorizing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations (the “Wage Motion”);
4. Emergency Motion for Order Pursuant to 11 U.S.C. § 366: (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Service, (II) Deeming Utility Providers Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Adequate Assurance of Payment (the “Utilities Motion”);
5. Emergency Motion For Entry of an Order (A) Approving the Continued Use of Existing Bank Accounts, and (B) Authorizing Banks to Honor Pre-Petition Checks for Payroll and Related Items (“Cash Management Motion”);
6. Emergency Motion for Order Authorizing the Continuation of Merchant Obligations (“Merchant Motion”); and
7. Debtors’ Motion Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364 and 507 for Order Authorizing Debtors to: (A) Use Cash Collateral on An Emergency Basis Pending A Final Hearing; (B) Incur Postpetition Debt on An Emergency Basis Pending A Final Hearing; and (C) Grant Adequate Protection and Provide Security and Other Relief to Fifth Third Bank and Fifth Third Equipment Finance Company (the “DIP Motion”).

All of the First Day Motions are supported by the *Omnibus Declaration of David M. Bagley in Support of Debtors’ First Day Motions and Related Relief* (the “Omnibus Declaration”) filed contemporaneously therewith

This ex parte application is made and based upon Fed. R. Bankr. P. 9006, the following declaration of Gabrielle A. Hamm, Esq. (the “Hamm Declaration”), the Attorney Information Sheet filed contemporaneously with this ex parte application, and the papers and pleadings on file with this Court, judicial notice of which is respectfully requested.

WHEREFORE, Debtors respectfully request that this Honorable Court grant this ex parte application and issue an order shortening time to hear the Motion and for such other and further relief as the Court deems just and proper.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**
3 **DECLARATION OF GABRIELLE A. HAMM, ESQ.**

4 I, Gabrielle A. Hamm, Esq., declare as follows:

5 1. I am over the age of 18, am mentally competent, have personal knowledge of the
6 facts in this matter, and if called upon to testify, could and would do so.

7 2. I am an associate with the law firm of Gordon Silver, proposed counsel for
8 Debtors in the above-captioned bankruptcy cases (the "Chapter 11 Cases") and duly licensed to
9 practice law in the State of Nevada.

10 3. Debtors are requesting that the First Day Motions be heard on shortened time to
11 prevent the disruption of the daily operation of Debtors' business. It would be extremely
12 detrimental to Debtors' business operations and their ability to consummate a sale of their assets
13 if the relief requested in the First Day Motions was not granted in a timely fashion. Absent
14 immediate interim approval of the relief requested, the Debtors will have no access to capital, will
15 lose customer relationships, and will likely lose employees. In the absence of immediate access
16 to cash and credit and the ability to operate, the Debtors will be unable to operate their
17 businesses or to complete the bankruptcy process. Thus Debtors are requesting that the Court
18 issue an order shortening time to hear the First Day Motions at the Court's earliest time available

19 I declare under penalty of perjury of the laws of the United States that these facts are true
20 to the best of my knowledge and belief.

21 DATED this 5th day of August, 2013.

22 
23 Gabrielle A. Hamm, Esq.

24 **II.**
25 **LEGAL ARGUMENT**

26 Section 105, Title 11 United States Code (the "Bankruptcy Code") allows this Court to
27 issue such orders as are necessary to carry out the provisions of this title. Fed. R. Bankr. P.
28 9006(c)(1) generally permits a Bankruptcy Court, for cause shown and in its discretion, to reduce
the period during which any notice is given in accordance with the Bankruptcy Rules.

1 Bankruptcy Rule 9006(c)(1) provides as follows:

2 Except as provided in paragraph (2) of this subdivision, when an act is
3 required or allowed to be done at or within a specified time by these rules
4 or by a notice given thereunder or by order of court, the court for cause
shown may in its discretion with or without motion or notice order the
period reduced.

5 11 U.S.C. § 105. Local Rule 9006 provides further authority for shortening the time for a
6 hearing. According to Local Rule 9006(b), every motion for an order shortening time must be
7 accompanied by an affidavit stating the reasons for an expedited hearing. As set forth in the
8 Omnibus Declaration, Debtors' successful transition to their Chapter 11 Cases and a successful
9 sale of the assets

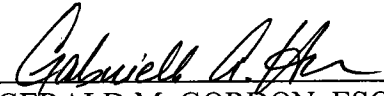
10 Local Rule 9006 requires the moving party to submit an Attorney Information Sheet
11 indicating whether opposing counsel was provided with notice, whether opposing counsel
12 consented to the hearing on an order shortening time, the date counsel was provided with notice
13 and how notice was provided or attempted to be provided. An Attorney Information Sheet was
14 filed contemporaneously with this ex parte motion.

15 III. 16 CONCLUSION

17 WHEREFORE, Debtors respectfully request that this Honorable Court grant this ex parte
18 application and issue an order shortening time to hear the Motion and for such other and further
19 relief as the Court deems just and proper.

20 DATED this 5th day of August, 2013.

GORDON SILVER

By: 

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